

ORIGINAL

OPEN MEETING AGENDA ITEM



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BEFORE THE ARIZONA CORPORATION CO.

COMMISSIONERS

SUSAN BITTER-SMITH- Chairman
BOB STUMP
BOB BURNS
DOUG LITTLE
TOM FORESE

2015 SEP 24 P 2:43

IN THE MATTER OF THE APPLICATION OF
ARIZONA WATER COMPANY, AN ARIZONA
CORPORATION, FOR A DETERMINATION OF
THE FAIR VALUE OF ITS UTILITY PLANT
AND PROPERTY AND FOR ADJUSTMENTS
TO ITS RATES AND CHARGES FOR UTILITY
SERVICE FURNISHED BY ITS EASTERN
GROUP AND FOR CERTAIN RELATED
APPROVALS.

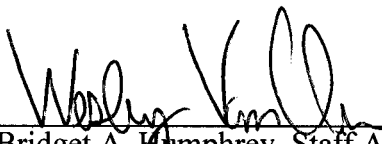
DOCKET NO. W-01445A-11-0310

**NOTICE OF ERRATA CORRECTING
STAFF PROPOSED ORDER STAYING
DECISION NO. 74590**

On September 17, 2015, Staff filed a proposed order that would stay the operation of the SIB mechanism approved by Decision No. 73938 (June 27, 2013) as affirmed by Decision No. 74463 (April 22, 2014) pending the outcome of further litigation. Staff has been made aware of various typographical errors in the proposed order that incorrectly reference Decision No. 73928 rather than 73938. The incorrect reference to Decision No. 73928 occurs in Finding of Fact 1. Staff hereby provides, as an errata, a revised Staff proposed order that corrects the references to Commission orders.

It is noted that the attached proposed order is not an order of the Commission. Exceptions to the proposed order may be filed in the docket by September 28, 2015.

RESPECTFULLY SUBMITTED this 24th day of September, 2015.


Bridget A. Humphrey, Staff Attorney
Wesley C. Van Cleve, Staff Attorney
Legal Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007
(602) 542-3402

Arizona Corporation Commission

DOCKETED

SEP 24 2015

DOCKETED BY

RTU

1 Original and thirteen (13) copies of the
2 foregoing were filed this 24th day of
September, 2015, with:

3 Docket Control
4 Arizona Corporation Commission
5 1200 West Washington Street
Phoenix, Arizona 85007

6 Copies of the foregoing were emailed/
7 and/or mailed this 24th day of September,
2015, to:

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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

SUSAN BITTER SMITH - CHAIRMAN
BOB STUMP
BOB BURNS
DOUG LITTLE
TOM FORESE

IN THE MATTER OF THE APPLICATION
OF ARIZONA WATER COMPANY, AN
ARIZONA CORPORATION, FOR A
DETERMINATION OF THE FAIR VALUE
OF ITS UTILITY PLANT AND PROPERTY
AND FOR ADJUSTMENTS TO ITS RATES
AND CHARGES FOR UTILITY SERVICE
FURNISHED BY ITS EASTERN GROUP
AND FOR CERTAIN RELATED
APPROVALS.

DOCKET NO. W-01445A-11-0310

DECISION NO. _____

Open Meeting
October 20, 2015
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. On August 4, 2014, the Arizona Corporation Commission ("Commission") issued Decision No. 74590. Among other things, Decision No. 74590 approved Arizona Water Company's ("Company") implementation of a system improvement benefits ("SIB") surcharge consistent with the Commission's approval of a SIB mechanism for the Company in Decision No. 73938 (June 27, 2013). On August 18, 2015, the Arizona Court of Appeals issued an opinion in Case No. 1 CA-CC 13-0002 which set aside the Commission's approval of the SIB mechanism approved by Decision No. 73938.

2. In light of the Court's ruling, and in balancing the interests that are implicated in this matter, the Commission finds it is reasonable and in the public interest to stay collection of the surcharge approved by Decision No. 74590 pending the outcome of further court proceedings.

CONCLUSIONS OF LAW

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2 1. Arizona Water Company is a public service corporation within the meaning of Article
3 XV of the Arizona Constitution.

4 2. The Commission has jurisdiction over Arizona Water Company, and the subject
5 matter of this filing.

6 3. It is in the public interest to stay the collection of of the System Improvement Benefits
7 Mechanism surcharge approved by Decision No. 74590 pending the outcome of further court
8 proceedings and until further order of the Commission.

ORDER

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10 IT IS THEREFORE ORDERED that the System Improvement Benefit Mechanism surcharge
11 approved by Decision No. 74590, is hereby stayed until further order of the Commission.

12 IT IS FURTHER ORDERED that all compliance requirements specifically associated with
13 operation of the System Improvement Benefits Mechanism are stayed until further order of the
14 Commission.

15 IT IS FURTHER ORDERED that all other aspects of Decision No. 74590 shall remain in
16 effect.

17 IT IS FURTHER ORDERED that this Decision shall become effective immediately.
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BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION

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CHAIRMAN		COMMISSIONER
<hr/>		
COMMISSIONER	COMMISSIONER	COMMISSIONER

IN WITNESS WHEREOF, I, JODI JERICH, Executive Director of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this _____ day of _____, 2015.

JODI JERICH
EXECUTIVE DIRECTOR

DISSENT: _____

DISSENT: _____

SERVICE LIST FOR: Arizona Water Company
DOCKET NO. W-01445A-11-0310

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